



# Smurfit-Stone Container Corporation

Legal Department

#423577

2/28/02

February 27, 2002

Ms. Carlyn Winter Prisk  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

FEB 28 2002

**Re: Request for Information to Smurfit-Stone Container Corporation—Lower Darby Creek Area Superfund Site—Clearview Landfill, Folcroft Landfill and Folcroft Annex Landfill**

Dear Ms. Prisk:

I represent Smurfit-Stone Container Corporation ("SSCC"). Enclosed please find SSCC's Response to the above-referenced request (the "Request"). SSCC's response to this Request should not be construed as an admission of any liability, and does not constitute a waiver of any rights SSCC or its subsidiaries may have at law or in equity.

Please call me if you have any questions regarding the attached.

Very truly yours,

Shawna M. Jahn  
Staff Counsel

Enc.

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**RESPONSE TO USEPA'S REQUEST FOR INFORMATION ADDRESSED TO  
SMURFIT-STONE CONTAINER CORPORATION FOR THE LOWER DARBY  
CREEK AREA SUPERFUND SITE (THE "SITES")**

**FEBRUARY 27, 2002**

**GENERAL RESPONSE**

This is Smurfit-Stone Container Corporation's ("SSCC") Response to the USEPA Request for Information dated December 20, 2001 (the "Request"). The Request stated that EPA "has reason to believe that wastes generated at locations owned or operated by Smurfit-Stone Container Corporation (formerly Container Corporation of America), may have been transported to and disposed of at ... Clearview, Folcroft, and Folcroft Annex." For clarification, the company formerly known as Container Corporation of America ("CCA") is now Jefferson Smurfit Corporation (U.S.). While Jefferson Smurfit Corporation (U.S.) uses "Smurfit-Stone Container" as a trade name, it is an existing, operating company that is a separate entity from SSCC, which is its indirect parent company. CCA changed its name to Jefferson Smurfit Corporation (U.S.) on December 31, 1994, the same date that the former Jefferson Smurfit Corporation (U.S.) merged into CCA, which was its wholly-owned subsidiary. SSCC was formerly known as Jefferson Smurfit Corporation (without the "U.S.") ("JSC"). JSC changed its name to SSCC in November 1998 when it acquired Stone Container Corporation. Hence, SSCC has two wholly-owned operating subsidiaries, Stone Container Corporation and Jefferson Smurfit Corporation (U.S.). Although the USEPA stated that it had documents indicating that CCA, now renamed Jefferson Smurfit Corporation (U.S.), might have sent waste to the Site, in a good faith effort to be responsive to this Request, SSCC had its attorneys direct copies of this Request to the following facilities located in Philadelphia, Pennsylvania

(together, the "Facilities"), which are all of the facilities it has identified in the immediate Philadelphia area that were formerly or now are owned or operated by its subsidiaries, Stone Container Corporation and Jefferson Smurfit Corporation (U.S.):

**Facilities Owned or Operated by CCA (before changing its name to Jefferson Smurfit Corporation (U.S.)):**

1. Recycled boxboard mill (also formerly the location of a corrugated box plant and a folding carton plant)  
5000 Flat Rock Road  
Philadelphia, PA 19127
2. Corrugated box plant (greenfield facility completed 1981)  
100 McDonald Blvd.  
Aston, PA 19114
3. Folding carton plant  
1035 Longford Road  
Phoenixville, PA 19460
4. Folding carton plant  
500 Church Road  
North Wales, PA 19454

**Facilities Owned or Operated by Jefferson Smurfit Corporation (U.S.) That Were Not Owned or Operated by CCA:**

1. Paperboard tube and core plant  
4001 North American Street  
Philadelphia, PA 19140

**Facilities Owned or Operated by Stone Container Corporation:**

1. Corrugated box plant  
Tulip & Decatur  
Philadelphia, PA 19114
- 4.2. Corrugated box plant  
9820 Blue Grass Road  
Philadelphia, PA 19114

In addition, the attorneys directed copies of the Request for Information to various departments in its corporate headquarters, including Accounting and Environmental Affairs, to determine whether any responsive documents were located there.

Employees at the Facilities and at the corporate headquarters of SSCC, Stone Container Corporation, and Jefferson Smurfit Corporation (U.S.) conducted a good faith, diligent search of available records within their custody and control, and had relevant present and former employees questioned to determine the extent to which SSCC and its predecessors and subsidiaries did business, if at all with the Sites or any of the Listed Entities.

Based on its investigation to date, SSCC has been unable to locate any information indicating that the Facilities actually disposed of or treated materials at the Sites, nor would they have transported or arranged for the transport of any materials to the Sites.

### **SPECIFIC RESPONSES**

**1. State the name of your company, its mailing address and telephone number. Further identify:**

- a. The dates and states of incorporation of your company;**
- b. The date and original state of incorporation of your company;**
- c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.**

**RESPONSE:** The name of the company is Smurfit-Stone Container Corporation ("SSCC"). Its mailing address is 150 N. Michigan Ave., Chicago, IL 60601. The telephone number is 312(346)-6600.

- a. SSCC was incorporated in the State of Delaware on November 18, 1998.

b. See response to 1.a above.

c. SSCC is a public corporation traded on the NASDAQ. SSCC is the parent corporation of Jefferson Smurfit Corporation (U.S.) and Stone Container Corporation.

- 2. What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, PA area? What was the nature of your business or activity between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 or the present, please provide a detailed explanation of the changes to date.**

**RESPONSE:**

The CCA (now Jefferson Smurfit Corporation (U.S.)) facility located at 5000 Flat Rock Road manufactures coated and uncoated recycled boxboard, and has done so since at least 1958. Prior to 1981, corrugated shipping containers (boxes) were also manufactured at this location. Prior to about the mid-1970s, folding cartons were also manufactured at this location.

The CCA (now Jefferson Smurfit Corporation (U.S.)) facility in Aston has produced corrugated paperboard and corrugated shipping containers (boxes) since its construction in 1981.

The CCA (now Jefferson Smurfit Corporation (U.S.)) facility in Phoenixville has produced folding cartons since its construction in 1954

The CCA (now Jefferson Smurfit Corporation (U.S.)) facility in North Wales has produced folding cartons since it was purchased by CCA in 1970.

Jefferson Smurfit Corporation (U.S.) started producing paperboard tubes and cores at the facility on 4001 North American Street, Philadelphia in 1996.

The Stone Container facility at Tulip & Decatur facility is a corrugator/box plant that manufactures combined board sheets, then prints and converts the combined board into shipping containers or other finished products.

The Blue Grass Road facility began operations under Continental Can Company in 1963. Stone Container Corporation, now a wholly-owned subsidiary of SSSC, acquired the facility in 1983. The facility manufactured corrugated paperboard and shipping containers from its construction in 1963 until sometime in the late 1980's. From that point to the present, the facility has manufactured corrugated sheets.

- 3. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment current address, and telephone number. IF the current address or telephone number is not available, provide the last known telephone number or the last known address of such persons.**

**RESPONSE:** To date, SSSC has not found any present or former employees that have direct knowledge as to the Facilities' operations and waste disposal practices between 1958 and 1976.

- 4. Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to the present. For each owner and operator further provide:**
  - a. The dates of their operation;**
  - b. The nature of their operation;**
  - c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal or transportation of any hazardous substance, hazardous waste,**

**pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).**

**RESPONSE:** CCA constructed the facility located at 100 McDonald Blvd in Aston, Pennsylvania in 1981. CCA constructed the facility located at 1035 Longford Rd. in 1954. CCA acquired the North Wales facility in November 1970 from Eastex Shuttle. Jefferson Smurfit Corporation (U.S.), a wholly-owned subsidiary of SSCC (then Jefferson Smurfit Corporation), merged with CCA on December 31, 1994 and CCA changed its name to Jefferson Smurfit Corporation (U.S.). Jefferson Smurfit Corporation (U.S.) began manufacturing paperboard tubes and cores at the 4001 North American Street location in 1996.

The facility located at 9820 Blue Grass Road in Philadelphia was established and began operations under Continental Can Company in 1963. Stone Container, a wholly-owned subsidiary of SSCC since 1998, acquired the facility in 1983.

The facility located at Tulip & Decatur has been owned by Stone Container Corporation, now a wholly-owned subsidiary of SSCC, from 1933 to the present. It has produced corrugated paperboard and shipping containers (boxes) throughout this period.

The facility located at 5000 Flat Rock Road has been owned by CCA (now Jefferson Smurfit Corporation (U.S.) from prior to 1958 to the present. Jefferson Smurfit Corporation (U.S.), a wholly-owned subsidiary of SSCC (formerly Jefferson Smurfit Corporation), merged with CCA on December 31, 1994 and CCA changed its name to Jefferson Smurfit Corporation (U.S.). The facility has manufactured coated and uncoated recycled boxboard throughout this period. Corrugated paperboard and shipping

containers (boxes) were manufactured at this facility from prior to 1958 until 1981. Also, until the mid-1970s folding cartons were manufactured at this location.

Based upon its investigation to date, SSCC has been unable to locate any documents or other information relating to the handling, generation, storage, treatment, recycling, formulation, disposal or transportation of any hazardous substances of a prior owner or operator identified above.

**6. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.**

**RESPONSE:** The Aston facility did not handle and/or generate, store, treat, transport, recycle, formulate or dispose of any hazardous substance or waste during the time period in question because it did not exist. Based upon its investigation to date, SSCC has been unable to locate any information relating to the handling and/or generation, storage, treatment, transportation, recycling, formulation or disposal of any hazardous substances or wastes at its other Facilities between 1958 and 1976.

**5. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). If MSDS are not available for the specified time period, submit ones as close as possible to those dates, and state how they may differ. With respect to each such hazardous substance, further identify:**

- a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;**
- b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;**



- c. **The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;**
- d. **The beginning and ending dates of the period(s) during which such hazardous substance was used, generated or purchased, stored, or otherwise handled;**
- e. **The types and sizes of containers in which these substances were transported and stored; and**
- f. **The persons or companies that supplied each such hazardous substance to your company.**

**RESPONSE:** Based on its investigation to date, SSCC has only found documents for certain CCA facilities for one year—1974--which had been retained because of an accounting change that occurred that year. Vendor invoices for the year 1974 indicate that the facility located at 5000 Flat Rock Road used aluminum sulfate in liquid form, ammonia in liquid form, clays and clay coatings, and liquid caustic soda. The recycled boxboard was manufactured by blending baled and unbaled recycled paper in hot water and then reforming and drying it. Much of the boxboard would then be coated, using clay or some other inorganic coating to give it a white surface. According to the invoices, some of these materials appear to have been delivered to the facility in 10- and/or 55-gallon drums. Production of corrugated board from liner and medium would have primarily involved starch and caustic. Corrugated shipping containers (boxes) would be manufactured from the corrugated board, printed using flexographic printing presses, and glued. Folding cartons manufactured at the Flat Rock Road location were printed using the offset (lithographic) process. These cartons would also have been glued. Vendor invoices for the year 1974 indicate that the following companies supplied materials in that year:

Englehard Minerals and Chemicals Corporation

Georgia Kaolin Company

Bethlehem Mines Corporation  
Weyerhaeuser Corporation  
Staley Manufacturing Company  
American Cyanamid Company  
Hercules Incorporated  
Diamond Shamrock Chemical Company  
Witco Chemical  
Mobil Oil Corporation  
Borden Chemical  
American Lacquer Solvents  
National Starch and Chemical Corporation  
Polymer Industries Inc.  
Textile Chemical Company  
Tri-State Distributors Inc.  
Allied Chemical  
Hachik Bleach Co.  
Dow Chemical U.S.A.  
Nalco Chemical Company  
Pioneer Salt and Chemical Company  
3M Corporation  
Barrett Chemical Company  
E.I. du Pont de Nemours & Company  
Ciba-Geigy  
Rohm & Haas Company

SCM Corporation

Kerr-McGee Chemical Corp.

Glidden Durkee

Solvox Manufacturing Company

Based on its investigation to date, vendor invoices for the year 1974 indicate that the facility located at 1035 Longford Rd. in Phoenixville used inks in offset (lithographic) printing and gravure printing. The facility also likely used hazardous materials for clean-up, including MEK, Isopropyl Alcohol, Varsol, Naphtha and Acetone. Invoices for the year 1974 indicate that the following companies supplied materials to this facility that year:

American Lacquer Solvents

Borden

East Falls Corporation

Sun Chemical Corporation

Union 76

W.N. Stevenson Co.

R.W. Eaken, Inc.

Thiele-Engdahl, Inc.

Schneider Bros, Inc.

Standard T Chemical

Union Carbide

Pioneer Salt and Chemical Company

Inmont

Based on its investigation to date, other than the general information given above, SSCC has been unable to locate any information relating to the processes, chemical composition, quantity, dates of use, and storage of hazardous substances generated, used, purchased, stored or otherwise handled between 1958 and 1976 for any other Facility.

**6. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. If MSDS are not available for the specified time period, submit ones as close as possible to those dates, and state how they may differ. With respect to each such by-product and waste identified, further provide:**

- a. The processes by which each such by-product and waste was generated, stored, transported, treated, disposed of, released or otherwise handled;
- b. The chemical composition, characteristics and physical state (solid, liquid or gas) of each such by-product or waste;
- c. The types, sizes and numbers of containers used to treat, store, or dispose of each such by product or waste;
- d. The name of the individual(s) an/or company(ies) that disposed of or treated such by-product or waste; and
- e. The location and method of treatment and/or disposal of each such by-product or waste.

**RESPONSE:** Based on its investigation to date, SSCC has been unable to locate any information relating to by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by its facilities in the Philadelphia area between 1958 and 1976.

**7. Did your company ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckly Trash Hauling, Barratt Rupurt, McCloskey Engineering, ABM Disposal Services, Marvin Jonas, Jonas Waste Removal, Paolino Company, Schiavo Bros., Inc., Gene Banta Trash Hauling and/or any other company or municipality to remove or transport material from your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976 for disposal?**

**RESPONSE:** Based upon its investigation to date, SSCC has no record that any of the Facilities contracted with the Listed Entities for the removal or transport of materials between 1958 and 1976. We also have so far found no records as to which companies or municipalities may have been used to transport waste materials during this period. SSCC hereby incorporates this response as its response to questions 9, 10, 11, 13, and 14.

**12. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified in your answer to question 3, so indicate.**

**RESPONSE:** Based upon its investigation to date, SSCC is unable to locate any information relating to the individuals responsible for arranging for the removal and disposal of wastes, or individuals who were responsible for payments, payment approvals and record keeping concerning such waste transactions at its Facilities between 1958 and 1976.

**15. Representatives of your establishment(s):**

- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.**
- b. Provide the name title current address, and telephone number of the individual representing your establishment(s) to whom future correspondence should be directed.**

**RESPONSE:**

- a. Richard Palicki  
Engineering Director  
Jefferson Smurfit Corporation (U.S.)  
5000 Flat Rock Road

Philadelphia, PA 19127

John Crimmin  
General Manager  
Jefferson Smurfit Corporation (U.S.)  
100 McDonald Blvd.  
Aston, PA 19014

Richard Braun  
General Manager  
Stone Container Corporation  
Tulip & Decatur  
Philadelphia, PA 19114

Ellen Watkins  
Controller  
Stone Container Corporation  
9820 Blue Grass Road  
Philadelphia, PA 19114

Andie Holt  
General Manager  
Jefferson Smurfit Corporation (U.S.)  
5000 Flat Rock Road  
Philadelphia, PA 19127

Al Chiaruttini  
Environmental Services Manager  
1035 Longford Rd.  
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- b. Shawna M. Jahn  
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**16. If any documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:**

- a. Your document retention policy;**
- b. A description of how the records were/are destroyed;**
- c. A description of the type of information that would have been contained in the documents; and**
- d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.**

**RESPONSE:** Any documents no longer in existence would have been destroyed in accordance with the applicable document retention policy then in effect. SSCC has produced herewith a copy of its current document retention policy. SSCC does not have any other information relating to how any records were destroyed or a description of information that would have been contained in the documents. SSCC likewise does not

have information that would enable it to identify the individuals responsible for maintaining or destroying the documents.